

17394 U.S. PTO  
06/27/03

PATENT  
Customer Number 22,852  
Attorney Docket No. 3806.0520-01

21904 U.S. PTO  
06/27/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application Art Unit: 1625 Prior Application Examiner: D. M. M. Seaman

SIR: This is a request for filing a

Continuation  Continuation-in-Part  Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/987,386 filed November 14, 2001 of Eric BACQUÉ, Jean-Christophe CARRY, Youssef EL-AHMAD, Michel EVERAERT, Philippe HUBERT, Jean-Luc MALLERON, Serge MIGNANI, Guy PANTEL, Michel TABART, and Fabrice VIVIANI for HETEROCYCLYLALKYLPIPERIDINE DERIVATIVES, THEIR PREPARATION AND COMPOSITIONS CONTAINING THEM.

1.  Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 09/987,386 as originally filed on November 14, 2001, which is incorporated herein by reference.
2.  Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3.  Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4.  Cancel Claims 1-19.
5.  A Preliminary Amendment is enclosed.
6.  The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

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Basic Application Filing Fee					\$750	\$ 750.00
	Number of Claims		Basic	Extra Claims		
Total Claims	13	-	20		x \$18	0.00
Independent Claims	5	-	3	2	x \$84	\$168.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	
Subtotal						\$ 918.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$ 918.00

7.  A check in the amount of \$918.00 to cover the filing fee is enclosed.
8.  The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment, during the pendency of this application to Deposit Account No. 06-0916.
9.  Amend the specification by inserting before the first line, the following new paragraph:  
  
This is a divisional of Application No. 09/987,386, filed November 14, 2001, and claims the benefit of U.S. Provisional Application No. 60/255,145, filed December 14, 2000, and French Application No. 00 14738, filed November 15, 2000; all of the foregoing prior applications are incorporated herein by reference.
10.  New acceptable drawings are enclosed.
11.  The prior application is assigned of record to: Aventis Pharma S.A.
12.  Priority of French Application No. 00 14738, filed on November 15, 2000, is claimed under 35 U.S.C. § 119. A certified copy  
  
 is enclosed or    is on file in the prior Application No. 09/987,386.
13.  Small entity status is appropriate and applies to this application.
14.  The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT &

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Gutowski, Reg. No. 38,742; Yitai Hu, Reg. No. 40,653; Lionel M. Lavenue; Reg. No. 46,859; and Christine E. Lehman, Reg. No. 38,535.

15.  The power appears in the original declaration of the prior application.
16.  Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
18.  Recognize as associate attorney or agent: Jeremy M. Stipkala, Reg. No 44,359; and Carlos M. Tellez, Reg. No. 48,638.

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in parent Application No.09/987,386, filed November 14, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Carol P. Einaudi  
Carol P. Einaudi  
Reg. No. 32,220

Dated: June 27, 2003

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